

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CHRISTOPHER BARBOUR,)	
)	
Petitioner,)	
)	
v.)	No. 2:01-cv-612-ECM
)	
JOHN HAMM, Commissioner,)	
Department of Corrections,)	
et al.,)	
)	
Respondents.)	

RESPONDENTS' MOTION FOR LEAVE TO AMEND EXHIBIT LIST

Come now Respondents, by and through the Attorney General for the State of Alabama, and respectfully request this Court to allow Respondents to amend their exhibit list based on the following:

1. In accordance with the Court's scheduling order (Doc. 333), the parties submitted their exhibit lists on May 24, 2023. (Docs. 367, 371.) Since the filing of Respondents' exhibit list, Petitioner's counsel has requested that Respondents narrow or more clearly identify three exhibits, citing this Court's admonition against bulk designations. (*See* Doc. 333 at 2.) Those exhibits are Exhibits 22 (SERI Bench Notes and Case File; 58 pages), 35 (FACL Bench Notes and Case File; 1,031 pages), and 36 (FACL Bench Notes and Case File; 1,086 pages). Respondents have agreed to this request and now request leave from the Court to so amend.

2. Petitioner will not be prejudiced by the requested amendment. The amendment will not add any documents not already identified, and the narrowing requested by Petitioner's counsel concerns documents that were provided to Respondents by Petitioner's counsel.

Wherefore, based on the above, Respondents respectfully request that this Court grant Respondents' request to amend their exhibit list.

Respectfully submitted,

Steve Marshall (MAR083)

Attorney General

By:

s/Polly S. Kenny

Polly S. Kenny

Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of June 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will provide notification of such filing to the following CM/ECF participants: **George Kendall, Samuel Spital, Nicola Cohen, Santino Coleman, and Miriam Gohara.**

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